

November 25, 2020

To The Ministry of Natural Resources and Forestry,

We are writing to express [BurlingtonGreen Environmental Organization's](#) opposition to the [Nelson Aggregate quarry expansion application](#) and we ask that the Ministry of Natural Resources and Forestry deny this application which will put at risk our City's portion of the Niagara Escarpment, an important [UNESCO World Biosphere Reserve](#), as well as Burlington's section of [Ontario's Green Belt](#). Our beautiful escarpment is home to a diversity of species (including the at-risk Jefferson salamander), vital farmland, valuable parklands and conservation areas and important aquifers (water sources). For the sake of future generations of Burlingtonians and Ontarians, the Ministry must put the lands that have been entrusted to us to conserve ahead of one company's short-term profits.

Since 2007, BurlingtonGreen has worked with the community through advocacy, action and awareness to protect the environment, mitigate climate change and to create a healthier, more environmentally responsible Burlington. Together with other environmental advocacy organizations and engaged residents, we strive to protect what we have and reverse the damage caused by human activity while there is still time. To date we have advocated on more than 110 environmental issues including those of quarry expansions in our municipality. And while our focus is local, we are mindful of our responsibility to safeguard important provincial assets such as the beautiful Mt. Nemo area of the escarpment to benefit all Ontarians.

In our May 2019 submission to Ontario's Environmental Registry in response to the Government of Ontario's Aggregate Reform Initiative, BurlingtonGreen contended that the Aggregate Resource Act must be amended such that it is not able to override environmental protection afforded by other legislation such as the Green Belt Plan, and that furthermore, measures to ensure adequate replacement of any lost tree canopy be included in the planned activity as part of the requirement for approval of new or expanded aggregate activities. Far from categorizing these measures as 'red tape' – a term cited by the current government to justify removing or weakening legislation designed to ensure a thorough environmental assessment of the impact of economic activity, as mandated in Ontario's Environmental Bill of Rights – we view them as vitally necessary elements to achieving a successful and efficient aggregate industry in Ontario that operates without compromising ecological sustainability in the broadest sense.

In agreement with other local environmental and citizens' organizations, we are alarmed and concerned about the short time being allowed by the Ministry for public comment on this very complex development application. And we agree with our sister organization, Oakville Green's observation that "In light of the Province's recent weakening of 20 pieces of environmental legislation through Bill 197, we will have to fight even harder to preserve the environment" (quoted from letter to MNRF shared with BurlingtonGreen by Oakville Green).

BurlingtonGreen is committed to doing just that, and we concur with the views of CORE (Conserving Our Rural Ecosystems) Burlington and PERL (Protecting Escarpment Rural Land) who, among other concerns, have identified some key negative environmental impacts of Nelson's proposed quarry expansion:

- Unacceptable interference on listed Endangered Species Jefferson Salamander and proposed major Species at Risk habitat re-engineering, per Site Plan;

- Significant importation of inadequately tested construction waste soils into proponent’s below-water-table quarry, a groundwater and well quality concern;
- Decrease of groundwater levels and quality impacting drinking water well capacity (*Most of rural area is on wells*);
- Reduced water volumes / quantity and quality in surface streams and tributaries, thus impacts on wetlands and aquatic species;
- Removal of class 1 Prime agricultural land, loss of more (78.3 ha) of Burlington’s best quality arable lands;
- Generation of noxious gases and greenhouse air emissions are health, climate change and environmental issues.

Our own analysis of this application considers both local and wider-scale issues, and what we are asking the Ministry to do is the same. For while the above issues are primarily local in impact (with the exception of the point on endangered species), we believe it is vital that the Ministry extrapolate these considerations to the bigger picture and set their decision on this development application within the context of broader provincial ministerial obligations and the relationship between the environment and the economy from a provincial perspective.

Despite BurlingtonGreen’s vehement objections to the Nelson Aggregate expansion, we do recognize the contribution of the aggregate sector to Ontario’s economy and understand the need to ensure this industry is able to meet the needs of the construction sector that is responsible for building and maintaining our roads, schools, hospitals, commercial and industrial structures and residences; in short, much of the physical infrastructure on which our society depends. At the same time, the climate crisis, outlined in the Intergovernmental Panel on Climate Change’s (IPCC) [latest report](#), together with what scientists are calling a sixth mass extinction event caused by human activity¹ that threatens global biodiversity, means that it is critical that we ensure the need of the aggregate sector for growth is governed within the parameters of responsible environmental stewardship in order to achieve a truly sustainable model for this sector. In the case of Nelson Aggregate’s proposed expansion, the company’s contention that more aggregate material must be extracted to support industry demand rings hollow. To quote [Gravel Watch Ontario](#): “Thus far no crisis of aggregate supply has occurred in Ontario. While numerous reports have been written on the subject of the aggregate supply in Ontario over the years, all of the studies reviewed highlight that the available data is limited. While the demand side of aggregates can be informed by the level of consumption, the understanding of the reserves of this resource whether licenced or not is limited. Broad estimates are typically used in the studies leading to best guess conclusions. The behaviour of the aggregate marketplace is certainly not indicating that any widespread shortage of supply exists.” Furthermore, there are already numerous licensed quarries in the ecologically sensitive backbone of the Niagara Escarpment. Halton Region alone has 22 active pits and quarries², extracting an average of 7 million tonnes of aggregate per year³, one of the largest aggregate mining municipalities in Ontario. And based on the licences already granted to existing Halton quarry sites, these operations are permitted to extract a combined **unlimited** amount of aggregate (some quarry sites have annual limits, while others do not).⁴

¹ <https://www.businessinsider.com/signs-of-6th-mass-extinction-2019-3>

² <http://sirepub.halton.ca/councildocs/pm/21/Oct%204%202017%20Planning%20and%20Public%20Works%20LPS6917%20%20State%20of%20Aggregate%20Resources%20within%20Hal%20%20Attachment%201%20to%20LPS6917%20%20State%20of%20Aggregate%20Resources%20Reportrev%20Jul%2027pdf%2012443.pdf>, p. 1

³ Ibid, p. 6

⁴ Ibid, p. 5

Another argument against the Nelson quarry expansion, or indeed, any quarry expansion for that matter, is the significant under-utilization of recycled aggregate material. And while “[r]ecycled materials have played an increasing role, at about seven per cent of supply in the past 10 years (up from about four per cent in the early 1990s)”⁵, there is ample opportunity to ramp up the conversion of recovered aggregate material through effective recycling processes into usable material for new building and paving projects. In fact, investing in aggregate recycling plants could form part of a green economic recovery plan to help generate new sustainable economic activity in Ontario following the devastation of the coronavirus pandemic.

The current climate crisis demands that a sense of urgency and a climate lens be applied to decision making at all levels of government, and that includes shifting away from the prioritization of aggregate land use designation and prioritizing other land uses that advance our climate change mitigation efforts. Accordingly, Burlington, along with many other municipalities, has declared a Climate Emergency. We are now asking the Province of Ontario, through the Ministry of Natural Resources and Forestry, to weigh the application by Nelson Aggregate in the light of the proposed quarry expansion’s critical environmental impacts – loss of farmland; aquifer and watershed threat; air quality and climate change concerns; and risk to biodiversity – and make the right decision to deny this project, not just on behalf of the people of Burlington, but for the sake of all Ontarians.

After all, the job of governments and their Ministries is to serve their constituents in the present, and build a legacy for the future. We call upon you not to be swayed by short-term thinking and arguments based on a narrow sector of economic activity, but to step up to the challenge of climate change and be a protector of a fast-disappearing richness of biodiversity, irreplaceable green spaces and waterways and fertile farmland by denying the Nelson Aggregate Mt. Nemo Quarry Expansion Application.

Respectfully,



On behalf of The Advocacy Team

BurlingtonGreen
Environmental Association

1295 North Service Road
Burlington, L7P0V5

cc:

CORE of Burlington Inc.

PERL (Protecting Escarpment Rural Land)

Nelson Aggregate

Oakville Green

⁵ <https://files.ontario.ca/environment-and-energy/aggregates/aggregate-resource-in-ontario-study/286996.pdf> p.